

AO 106 (Rev. 7/87) Affidavit for Search Warrant

United States District Court
Southern District of Texas

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

AUG 29 2008

Michael N. Hunter, Clerk

In the Matter of the Search of
 (Name, address or brief description of person, property or premises to be searched)
A Priority Mail Parcel approximately 14" X 14"
X 14" addressed to Jose Ramon fonseca, Urb.
Villa Guadalupe Calle 23 DD-14, Caguas P.R.
00725 bearing a return address of Eliseo fonseca,
1013 ursula St, Mission Tx 78574

APPLICATION AND AFFIDAVIT
FOR SEARCH WARRANT

CASE NUMBER:

*M-08-5569-M*I Juan M. Solis Jr. being duly sworn depose and say:I am a(n) U. S. Postal Inspector and have reason to believeThat On the person of or X On the property or premises known as (name, description and/or location)**A Priority Mail Parcel approximately 14" X 14" X 14" addressed to Jose Ramon fonseca, Urb. Villa Guadalupe Calle 23 DD-14, Caguas P.R. 00725 bearing a return address of Eliseo fonseca, 1013 ursula St, Mission Tx 78574**in the SOUTHERN District of TEXAS
there is now concealed a certain person or property, namely (describe the person or property to be seized)**contraband, narcotics, narcotic paraphernalia or proceeds;**

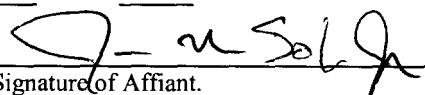
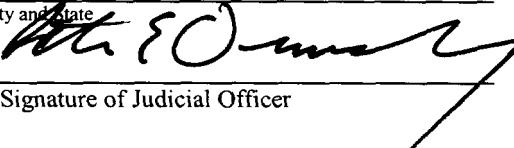
which is (state one or more bases for search and seizure set forth under Rule 41(b) of the Federal Rules of Criminal Procedure)

**Property that constitutes evidence of the commission of a criminal offense; or, contraband, the fruits of crime, or
thing otherwise criminally possessed;**Concerning a violation of Title 21 United States code, Section (s) 841(a)(1), 843(b) and 846,
853(a), and 881(a)(6)

The facts to support a finding of Probable Cause are as follows:

Continued on the attached sheet and made a part hereof.

Approved
Terry Leonard
Asst. U.S. Attorney

X Yes No

 Signature of Affiant.
Sworn to before me, and subscribed in my presence
and I find probable cause.August 29, 2008
DatePeter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officerat McAllen, TX
City and State

 Signature of Judicial Officer

COUNTY OF HIDALGO

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STATE OF TEXAS

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I, Juan M. Solis Jr., having been duly sworn, do hereby depose and state:

1. I am a United States Postal Inspector, currently assigned to the Houston Division Office in Laredo, Texas. As part of my duties as a Prohibited Mailing Specialist, I investigate the use of the U. S. Mails to illegally mail and receive controlled substances and drug trafficking instrumentalities, in violation of Title 21, United States Code, Sections 841 (a) (1), 843 (b), 846, 853 (a), and 881 (a) (6). I have participated in investigations, which have resulted in the arrest of individuals who have received and distributed controlled substances, as well as the seizure of the illegal drugs and proceeds from the sale of those illegal drugs.

2. Investigations by Postal Inspectors and other federal, state and local law enforcement officials indicate that the area of South Texas, sometimes referred to as "the Valley," is a significant crossing point for illegal drugs into the United States of America. The U. S. Postal Service is one of the means used for transporting both the illegal controlled substances and the money used to pay for those illegal controlled substances. Numerous parcels found to contain illegal controlled substances have been mailed from the Texas Rio Grande Valley for delivery in other cities in the United States.

3. From my training and experience, I know that illegal transactions in controlled substances are typically conducted with United States Currency. United States Currency is used to pay for illegal controlled substances because of the readily identifiable value and because of the difficulty in tracing currency transactions. As a result, large quantities of United States Currency are a "tool of the trade" of illegal drug trafficking and the presence of a large quantity of United States Currency is an indicator of drug trafficking activity.

4. The U. S. Postal Inspection Service conducts a continuous drug interdiction program at the McAllen, TX, Processing and Distribution Center. This affidavit is made in support of an application for a federal search warrant to search a United States Priority Mail parcel identified on August 20, 2008, described as follows:

Addressee: Jose Ramon Fonseca
Urb. Villa Guadalupe
Calle 23 DD-14
Caguas, P.R. 00725

Return Addressee: Eliseo Fonseca
1013 Ursula St.
Mission, TX 78574

Postmarked: August 28, 2008

Weight: 22 Lbs. 8.3 Oz.

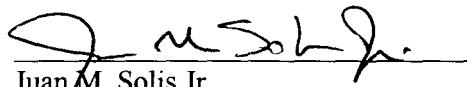
Office of Mailing: Mission, TX 78572

5. On August 29, 2008, your Affiant was advised by postal officials that the return address on this parcel is incomplete because it is missing a corresponding apartment number.

6. It is the experience of your Affiant, as well as many other police officers engaged in the investigation of narcotic offenses, that the odor of the narcotic escapes from packages containing narcotics and money representing proceeds of narcotics, handled by narcotic dealers, will retain traces of the narcotic. Therefore, the odor of the narcotics in packages and on the currency is many times detectable by narcotic detection canines.

7. On August 29, 2008, the aforementioned subject parcel was exposed to a narcotic detection canine named "ARROW" at the U. S. Postal Inspection Service, McAllen Domicile, McAllen, TX. C. Runa, Canine Officer, with the U. S. Border Patrol Service, handles "ARROW". "ARROW" is certified by the standards of the U. S. Border Patrol Service Canine Enforcement Program. As a result of "ARROW's" past alerts, there have been numerous drug and drug proceed seizures. "ARROW" conducted an exterior examination of the above-described parcel and strongly alerted to the presence of narcotics in the aforementioned Priority Mail parcel.

8. Based on the facts set forth in this Affidavit, your Affiant believes there is probable cause to believe that the aforementioned subject Priority Mail parcel contains narcotics, narcotic paraphernalia or proceeds from narcotic trafficking. Your Affiant, therefore, seeks the issuance of a search warrant for the seizure of this parcel, and the contents contained therein and any other evidence, fruits of crime, and instrumentalities, in violation of Title 21, United States Code, Sections 841 (a) (1), 843 (b), 846, 853(a), and 881 (a) (6).


Juan M. Solis Jr.
Postal Inspector

SWORN to and subscribed before me this 28th day of August 2008.


Peter E. Ormsby
UNITED STATES MAGISTRATE JUDGE